

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

**FILED**  
MAY 04 2017  
Clerk, U.S. District Court  
District Of Montana  
Missoula

ALLIANCE FOR THE WILD ROCKIES,  
NATIVE ECOSYSTEMS COUNCIL,  
ROCKY MOUNTAIN WILD, and  
SIERRA CLUB, INC.,

Plaintiffs,

vs.

MAUREEN FOSTER, in her official  
capacity as Acting Assistant Secretary  
for Fish and Wildlife and Parks at the  
U.S. Department of the Interior;  
RYAN ZINKE, in his official capacity  
as Secretary of the U.S. Department of  
the Interior; and U.S. FISH AND  
WILDLIFE SERVICE,

Defendants.

CV 14-272-M-DLC

(Consolidated with Case No.  
14-270-M-DLC)

ORDER

On May 2, 2017, this Court received the parties' Joint Stipulation for Attorneys' Fees and Costs entered into by and between Plaintiffs Alliance for the Wild Rockies, Native Ecosystems Council, Rocky Mountain Wild, and Sierra Club, Inc. (collectively, "Plaintiffs") and Defendants Maureen Foster,<sup>1</sup> in her

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<sup>1</sup> Maureen Foster is substituted for Michael Bean, formerly the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks at the U.S. Department of the Interior, pursuant to Federal Rule of Civil Procedure 25(d).

official capacity as Acting Assistant Secretary for Fish and Wildlife and Parks at the U.S. Department of the Interior; Ryan Zinke,<sup>2</sup> in his official capacity as Secretary of the U.S. Department of the Interior; and U.S. Fish And Wildlife Service (“FWS”) (collectively, “Defendants”) to resolve Plaintiffs’ claims for attorneys’ fees and costs in the above-captioned case.

Plaintiffs filed a motion for attorneys’ fees in this case on January 25, 2017. The parties jointly moved to stay briefing on Plaintiffs’ fee motion to provide the parties with sufficient time to engage in settlement discussions regarding plaintiffs’ request for attorneys’ fees, costs, and other expenses. The Court granted the stay.

The stipulation now before the Court sets forth the amount of \$205,000 agreed to for satisfaction of Plaintiffs’ claim for attorneys fees, along with various other provisions. The stipulation states that it “resolves all of Plaintiffs’ claims to fees, costs, and expenses in this matter under any authority (“Fee Claims”), Plaintiffs hereby withdraw their Fee Motion and release Defendants from the Fee Claims.” (Doc. 95 at 7.) Since the stipulation clearly intends for the withdrawal of Plaintiffs’ motion, the Court will deny the motion as moot and close this case.

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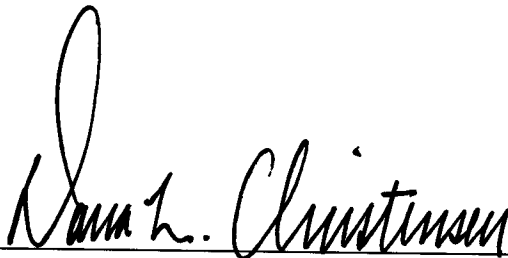
<sup>2</sup> Secretary Ryan Zinke is substituted for Sally Jewell, formerly the Secretary of the Interior, pursuant to Federal Rule of Civil Procedure 25(d).

Accordingly, IT IS ORDERED that the Stipulation (Doc. 95) is  
APPROVED.

IT IS FURTHER ORDERED that Plaintiffs' Motion for Attorneys' Fees  
and Costs (Doc. 87) is DENIED as moot.

This case is CLOSED.

DATED this 4<sup>th</sup> day of May, 2017.

  
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Dana L. Christensen, Chief Judge  
United States District Court